

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TCHUTIMA, INC.,

Plaintiff(s),

v.

BUA GROUP, LLC,

Defendant(s).

Case No. 2:24-cv-01130-JCM-NJK

Order

[Docket No. 65]

Pending before the Court is Plaintiff's motion to seal. Docket No. 65. The motion seeks secrecy as to Exhibits 9 and 19. *See id.* at 2. The Court issued an order identifying deficiencies with the motion to seal, deferring ruling on the motion, and requiring the filing of a supplement curing those deficiencies. Docket No. 116. The parties filed a joint notice to unseal Exhibit 9 and the majority of Exhibit 19. Docket No. 153. Defendant filed a supplement seeking redaction to Exhibit 19. Docket No. 154. For the reasons discussed below, the motion to seal is **GRANTED** in part.

I. STANDARDS

For material submitted in conjunction with non-dispositive matters, a particularized showing of good cause must be made to warrant secrecy. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006). "Such a burden is met by the presentation of evidence, such as a declaration from someone with personal knowledge, rather than by the argument of counsel in motion practice." *Henderson v. Aria Resort & Casino Holdings, LLC*, 2023 WL 4288830, at *1 (D. Nev. June 29, 2023) (collecting cases). The fact that the parties agree to secrecy does not alter the need to make the required showing. *Allegiant Travel Co. v. Kinzer*, 2022 WL 2819734, at *1 n.1 (D. Nev. July 19, 2022).

1 **II. STIPULATION TO UNSEAL**

2 Given the presumption of public access, *Kamakana*, 447 F.3d at 1178, and the agreement
3 of all parties that secrecy is not warranted, the Court will order that Exhibit 9 be filed on the public
4 docket in its entirety.¹

5 **III. REMAINING REQUESTS FOR SECRECY**

6 With respect to Exhibit 9, Defendant seeks redaction of financial data provided therein.
7 See Docket No. 154 at 2-3. Defendant filed a declaration explaining that this information is kept
8 confidential and that its public release would cause competitive harm to Defendant. Docket No.
9 154-1 at ¶¶ 3-6. Good cause exists for the proposed redaction.²

10 **IV. CONCLUSION**

11 For the reasons discussed above, the motion to seal is **GRANTED** in part. The Clerk's
12 Office is **INSTRUCTED** to continue maintaining the subject information under seal. The parties
13 are **ORDERED** to file a notice on the public docket attaching Exhibit 9 in unredacted form and
14 attaching Exhibit 19 with the redactions allowed above. This notice must be filed by April 22,
15 2025.

16 IT IS SO ORDERED.

17 Dated: April 10, 2025

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Nancy J. Koppe
United States Magistrate Judge

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25 ¹ Exhibit 9 is just one part of a single PDF with several documents, so the Court is unable
26 to order that Exhibit 9 be unsealed by the Clerk's Office. Instead, the parties must file on the
public docket a notice attaching Exhibit 9.

27 ² Defendant asks the Court to redact the document for it, which the Court declines to do.
28 Instead, the parties must file on the public docket a notice attaching Exhibit 19 with the allowed
redactions.